

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CHEVRON CORPORATION, :  
: :  
Plaintiff, :  
: :  
v. : 11 Civ. 0691 (LAK)  
: :  
STEVEN DONZIGER, *et al.*, :  
: :  
Defendants. :  
: :  
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**DECLARATION OF RANDY M. MASTRO IN SUPPORT OF  
CHEVRON CORPORATION'S MOTION FOR ENTRY OF DEFAULT JUDGMENT**

I, RANDY M. MASTRO, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am an attorney licensed to practice law in the State of New York and before this Court. I am a partner in the law firm of Gibson, Dunn & Crutcher LLP, and I am lead counsel for Chevron Corporation (“Chevron”) in the above-captioned matter. I am personally familiar with the facts set forth herein, unless the context indicates otherwise.

2. I submit this declaration in support of Chevron’s Motion for Default Judgment against the Defaulted Defendants, pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure and Local Civil Rule 55.2(b) of the Local Rules of the United States District Court for the Southern District of New York.

3. This action commenced February 1, 2011, when Chevron filed a Complaint in the Southern District of New York, a true and correct copy of which is attached hereto as **Exhibit 1**.

The complaint alleges that Defendants engaged in corrupt and fraudulent acts in connection with a lawsuit against Chevron in Ecuador, which caused various damages to Chevron.

4. Attached hereto as **Exhibit 2** is a true and correct copy of the Clerk's Certificate, certifying that the Defaulted Defendants<sup>1</sup> "are in default for failing to timely answer or otherwise respond to the complaint," previously submitted to the Court as Dkt. 206-18.

5. On April 20, 2011, Chevron filed an Amended Complaint, a true and correct copy of which is attached hereto as **Exhibit 3**. The Amended Complaint did not add any new claims.

6. Attached hereto as **Exhibit 4** is a true and correct copy of PX 7033A, entitled "Minutes No. 3, Regular Meeting of the Executive Committee of the UDAPT," which was submitted and entered as part of the trial record in this matter.

7. Attached hereto as **Exhibit 5** is a true and correct copy of PX 7086, an October 22, 2013 El Telégrafo article entitled "Expert examination confirms judgment authorship in lawsuit against Chevron," which was submitted and entered as part of the trial record in this matter.

8. Attached hereto as **Exhibit 6** is a true and correct copy of PX 558, entitled

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<sup>1</sup> The Defaulted Defendants are as follows: Pablo Fajardo Mendoza, Luis Yanza, Frente de Defensa de la Amazonia, Selva Viva Selviva Cia, Ltda, Maria Aguinda Salazar, Carlos Grefa Huatatoca, Catalina Antonia Aguinda Salazar, Lidia Alexandra Aguinda, Patricio Alberto Chimbo Yumbo, Clide Ramiro Aguinda Aguinda, Luis Armando Chimbo Yumbo, Beatriz Mercedes Grefa Tanguila, Lucio Enrique Grefa Tanguila, Patricio Wilson Aguinda Aguinda, Celia Irene Viveros Cusangua, Francisco Matias Alvarado Yumbo, Francisco Alvarado Yumbo, Olga Gloria Grefa Cerdá, Lorenzo Jose Alvarado Yumbo, Narcisa Aida Tanguila Narvaez, Bertha Antonia Yumbo Tanguila, Gloria Lucrecia Tanguila Grefa, Francisco Victor Tanguilla Grefa, Rosa Teresa Chimbo Tanguila, Jose Gabriel Revelo Liore, Maria Clelia Reascos Revelo, Maria Magdalena Rodriguez Barcenes, Jose Miguel Ipiales Chicaiza, Heleodoro Pataron Guaraca, Luisa Delia Tanguila Narvaez, Lourdes Beatriz Chimbo Tanguila, Maria Hortencia Viveros Cusangua, Segundo Angel Amanta Milan, Octavio Ismael Cordova Huanca, Elias Roberto Piyahuaje Payahuaje, Daniel Carlos Lusitande Yaiguaje, Benancio Fredy Chimbo Grefa, Guillermo Vicente Payaguaje Lusitante, Delfin Leonidas Payaguaje Payaguaje, Alfredo Donaldo Payaguaje Payaguaje, Teodoro Gonzalo Piaguaje Payaguaje, Miguel Mario Payaguaje Payaguaje, Fermin Piaguaje Payaguaje, Reinaldo Lusitande Yaiaguaje, Luis Agustin Payaguaje Piaguaje, Emilio Martin Lusitande Yaiguaje, Simon Lusitande Yaiguaje, Armando Wilfrido Piaguaje Payaguaje, and Angel Justino Piaguaje Lucitante.

“Retainer Agreement,” which was submitted and entered as part of the trial record in this matter.

9. Attached hereto as **Exhibit 7** is a true and correct copy of PX 552, a November 9, 2010 email attaching a “Funding Agreement” with Treca Financial Solutions, which was submitted and entered as part of the trial record in this matter.

10. Attached hereto as **Exhibit 8** is a true and correct copy of PX 3000, entitled “Witness Statement of Ricardo Reis Veiga,” which was submitted and entered as part of the trial record in this matter.

11. Attached hereto as **Exhibit 9** is a true and correct copy of PX 5800, entitled “Witness Statement of Rhonda I. Zygocki,” which was submitted and entered as part of the trial record in this matter.

12. In papers being filed simultaneously with its Motion for Entry of Default Judgment, Chevron has requested entry of default against the Defaulting Defendants as to the Amended Complaint, based on the Defaulting Defendants’ failure to appear, the prior entry of default, and the Defaulting Defendants’ failure to respond to the Amended Complaint.

13. I declare under penalty of perjury that the foregoing is true and correct.  
Executed on April 6, 2018 at New York, New York.

*s/ Randy M. Mastro*

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Randy M. Mastro